THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

-

WRIT APPEAL NO.312 OF 2006

(DATED: 27.03.2006)

Between:

Battu Bernardine S/o Abrahim

R/o Vijayawada

…Appellant

A n d

The Govt. of A.P rep. By its Secretary, Dept. of Education,

Secretariat, Hyderabad & others

…Respondents

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JUDGMENT: (Per Hon'ble Sri Justice B.Prakash Rao)

Heard both sides.

The appellant is the writ petitioner, who seeks to assail principally the direction in regard to the increments, which the learned single Judge refused to order.

The grievance of the appellant is that having regard to the fact that though his age of superannuation was reduced to 58 years, but he continued beyond and therefore, he is entitled to all such benefits including pension.

There is no dispute to the fact that the age of superannuation has been reduced to 58 years from 60 years. It is now well established that if an employee puts in service beyond 58 years, he is entitled to only pay and allowance for the period of work he rendered beyond 58 years and he would be entitled to all other benefits including pension till the date of attaining the age of superannuation as it exists now. Having regard to the same, it necessarily follows that he would not be entitled to any pensionary benefits for the service rendered by him beyond the age of 58 years.

We are in entire agreement with the observations made by the learned single Judge.

The appeal is accordingly dismissed. No costs.

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B.PRAKASH RAO, J

27.3.2006

D.APPA RAO, J

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WRIT APPEAL NO.312 OF 2006

(Per BPR, J)

DATED: 27.03.2006

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